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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Note verbale dated 13 July 1994 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights

The Permanent Mission of the Republic of Iraq to the United Nations Office at Geneva presents its compliments to the Centre for Human Rights and, further to its letter 94/224 of 4 July 1994, has the honour to enclose herewith a study entitled "The impact of the economic embargo on higher education and scientific research in Iraq".

The Permanent Mission requests the Centre for Human Rights to transmit this study to the forty-sixth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to be considered as a document under item 8 of the agenda of the Sub-Commission.

I. The impact of the embargo in the field of cultural relations

Iraq had concluded 62 cultural agreements with various countries of the world and signed a further four in 1988, 1989 and 1990, bringing the total to 66 agreements. However, this activity ceased totally after the embargo and no agreements were signed in the years 1991, 1992 and 1993 even though plans had been made for some agreements with various States. Although 45 executive programmes had been signed during the three years preceding the embargo, this number dropped to six programmes, five joint meetings and one contract for the recruitment of university professors in the years 1991, 1992 and 1993 since

many States refused to renew their cultural programmes which expired after the date of the resolution imposing the embargo on Iraq. The total number of bilateral agreements concluded between Iraqi universities and Arab and foreign universities before the embargo amounted to 43, but this number declined to only 19 agreements after the embargo and most of those agreements were with Arab universities and universities in friendly States. Requests by our universities for the renewal of those agreements met with no response from the counterpart universities. It is noteworthy that no progress was made on the signing of the draft agreements that had been prepared for signature before the embargo came into effect, although it had been hoped that they would be signed in the years 1991 and 1992.

There was only limited participation in the activities of international and Arab organizations, federations, committees, institutions and centres due to the small number of opportunities that those organizations gave to the country in the form of study, research and training fellowships, seminars, conferences and symposia. The hostile attitudes that some foreign and Arab States adopted towards the country induced those organizations and federations to deprive Iraq of financial appropriations in their annual plans. Moreover, the country was unable to meet its financial obligations towards those organizations, since the fulfilment of those obligations involved the payment of amounts in hard currency.

The number of students sent abroad for various academic purposes in 1990 amounted to 1,069, but this number dropped to only 100 in 1991, 315 in 1992 and 313 in 1993. This evident decline was attributable to many factors including, primarily, the political positions of States which induced organizations and universities to reject applications by Iraqi students or caused some States to refuse to issue entry visas to such students. It also proved impossible to implement most of the articles and provisions of the cultural and scientific cooperation programmes that had been signed with Arab and foreign States, particularly when their implementation entailed expenditure in hard currency.

The number of Arab and foreign professors whom the country hosted for scientific and research visits during the three years preceding the embargo amounted to 252, but this activity ceased completely in the case of foreign professors and there was also a very notable decline in the number of Arab professors during the years following the resolution imposing the unjust embargo. The sole exceptions were four foreign personalities who visited the country as members of delegations bringing food and medicine for the children of Iraq and who also paid visits to universities, since the Iraqi authorities were not required to meet any expenses in hard currency for their visits.

The number of Arab and foreign staff working at the country's various universities and institutes before the embargo amounted to 251 teachers and technicians. However, this number dropped sharply to only 20 persons (Syrian, Palestinian and Egyptian nationals residing in Iraq) due to the inability of the country's universities to pay their salaries in hard currency.

II. The impact of the embargo on Iraqi universities and their academic activity

The universities and research centres, which are basically centres for the dissemination of learning and culture in society and which contribute to social progress and advancement by promoting industrial, agricultural and social development, training new generations of scientists and researchers and effectively furthering the course of scientific and technical progress, have been severely affected after a stage in which Iraqi scientists and researchers had made significant achievements and Iraq was preparing to assume its proper place in international society. In fact, the aggressors regarded those universities and scientific institutions as prime targets in order to halt the development of scientific research. One of the most serious effects of the scientific and technical embargo on higher education and scientific institutions is the inability of the universities and scientific institutions to obtain laboratory apparatus and equipment.

III. The impact of the embargo on scientific sources of reference, magazines and periodicals

The various libraries attached to institutions run by the Ministry of Higher Education and Scientific Research had subscriptions with many Arab and international publishing houses and bodies issuing well-known magazines and publications in various specialized scientific and artistic fields and the total number of books that they received before the embargo amounted to 100,000. However, this figure declined by 55 per cent after the embargo. In the case of scientific magazines and periodicals, of which 7,000 were received before the embargo, this figure declined by 83 per cent after the embargo.

The evident shortage of scientific books, magazines and periodicals created a considerable gap in up-to-date information in the years 1990, 1991, 1992 and 1993 and also isolated Iraqi researchers from the latest international scientific developments, in addition to preventing them from keeping pace with the course of international scientific research, which is an essential requirement for researchers before engaging in any research work.

IV. The impact of the embargo on the import of scientific appliances and equipment

The various universities, technical institutes and research centres attached to the Ministry of Higher Education and Scientific Research used to import the requisite laboratory appliances, instruments and explanatory aids directly from abroad, in addition to the items that the Ministry procured on the local market and from institutions and companies belonging to other Ministries, such as central markets and companies selling pharmaceuticals and laboratory equipment which used to import those materials through their own channels. In 1989, the Ministry of Higher Education and Scientific Research appropriated an amount in hard currency equivalent to 14 million Iraqi dinars for the import of various types of laboratory equipment and materials and, of that amount, 11.6 million dinars were actually disbursed, i.e. a proportion of 83 per cent. In 1990, the Ministry appropriated an amount equivalent to

almost 12.5 million Iraqi dinars for the same purpose, of which only 2.8 million dinars was actually disbursed, i.e. a proportion of 12 per cent. This was due to the circumstances of the economic embargo, which put an end to the flow of goods into the country with effect from the first week of August 1990. This activity ceased totally in the years 1991, 1992 and 1993 due to the non-availability of hard currency. The other adverse effects of the economic embargo were as follows:

The shortage of printing and reproduction requisites (machinery, paper, materials and apparatus). As a result of the high cost of these at the present time, due to the unjust embargo that has been imposed on Iraq, studies, research papers and higher educational theses cannot be made available in the numbers or in the form required by researchers and students engaged in higher studies. The publication of scientific books, magazines and periodicals within the country has also been adversely affected to a large extent and students engaged in higher studies are unable to copy some information or designs, many of which are developed from up-to-date sources to which teachers have managed to gain access. Consequently, the educational process in some specialized fields is below the desired standard.

Moreover, the impossibility of importing technical appliances, machinery and equipment for all the training workshops at the universities and institutes has led to a decline in the standard of technical training.

V. The impact of the embargo on the academic brain drain

Work in the higher education and scientific research sector depends on the availability of competent holders of higher scientific degrees, most of whom have completed their scientific studies outside Iraq in various countries of the world. The scientific, cultural and technological embargo has had an impact not only on the scientific institutions in this sector but also on individuals who constitute part of the research and development movement and require scientific appliances, equipment and laboratories etc. which are not available due to the embargo. They are also being offered material inducements by Arab and foreign States, which is placing them in a bad psychological situation. Those inducements would have drained Iraq of its scientific expertise but for the steps and measures taken to curb the brain drain. The psychological and economic situation, as well as living conditions, are prime factors in this regard and, in fact, they have induced some teachers to abandon their work at universities and research institutions in order to take up employment outside Iraq.

VI. The impact of the embargo on missions, sabbatical leaves and fellowships

From 1985 to 1990, the number of scientific missions budgeted for students to study abroad in various countries of the world amounted to about 2,300 but no such missions were budgeted after 1990 due to the suspension of studies, including sabbatical leaves, outside the country. In 1989, Iraq was allocated 401 fellowships, of which 160 were actually used. In the years 1991, 1992 and 1993, on the other hand, the average annual number of fellowships allocated to Iraq amounted to 172, of which an annual average of

about 24 were actually used. Studies at private expense were formerly paid for by transfers abroad. Since 1990, however, no such transfers could be effected since they involved remittances in hard currency. The average annual number of students for whom study files were opened under that system amounted to about 310.

VII. The impact of the embargo on student movements outside the country

After the events that took place on 2 August 1990, the situation of Iraqi students studying abroad was affected by the position of the colonialist States, the subsequent iniquitous attack on the country and the successive phases of conspiracy and aggression. The impact of the unjust embargo on the situation of students studying abroad can be summarized as follows:

1. After the events of 2 August 1990, 218 students were forcibly deported by foreign authorities, particularly in aggressor States such as Britain and France, and were consequently forced to interrupt their studies and return to their home country where it proved impossible to absorb many of them in Iraqi universities for completion of their studies in view of their rare fields of specialization which, in some cases, were the cause of their deportation.

2. A total of 142 students were forced to return to their home country due to the financial difficulties that they and their families faced when payments could no longer be made to them after 1 September 1990 due to the freezing of Iraqi assets abroad. It proved impossible to absorb many of them in Iraqi universities for completion of their studies due to the non-availability of specialized teachers.

3. A total of 1,070 students studying at State expense continued to study abroad after payments to them were suspended with effect from 1 September 1990 in view of their determination to continue their studies and obtain the degrees for which they had been sent abroad. Many of the students are still being subjected to various forms of material and psychological pressure, which are impeding their studies and forcing many of them to seek menial forms of employment incompatible with the qualifications of Iraqi students studying to obtain higher degrees. The detrimental psychological effects of such work will obviously affect their careers and their future standard of performance in the various government departments.

4. Many of our students have been detained, particularly in the United Kingdom, throughout the period of the aggression and even after it for long periods of time during which the foreign authorities exploited their deteriorating financial situation in order to subject them to various forms of political blackmail.

5. Many universities have refused to register our students and have permitted some of them to continue their studies only on an informal basis due to their inability to pay tuition fees because of the suspension of payments to them.

6. The imposition of the unjust embargo on our valiant country and the refusal to allow Iraqi Airways to operate have severely hampered the return of our graduate students and their families to the country.

7. As an example of the coercive practices employed against our students and graduates returning to the country, they have been prevented from bringing with them scientific material related to their studies, such as special computer disks, scientific books and magazines and even, in some cases, their theses, which they were forced to leave behind in the places where they were studying. As a result, these returning graduate students have undoubtedly been prevented from continuing, updating and developing their research in their fields of work at Iraqi universities and various State institutions.

8. Due to the extraordinarily difficult financial circumstances with which our students studying abroad are still faced, many of them were forced to seek loans from foreign universities, banks or financial institutions which granted such loans in the hope that they would be repaid when Iraq's assets had been unfrozen and released. However, the maintenance of the unjust embargo for three and a half years has led to an accumulation of these debts and the universities, banks and financial institutions are demanding repayment by the students, as a result of which the latter are being subjected to legal and judicial proceedings that are proving highly detrimental to their studies and their morale.

9. Some universities have forced our students to change their rare specializations into ordinary specializations in keeping with the manner in which the colonialist States are treating our valiant country in an attempt to prevent it from acquiring a mastery of advanced fields of scientific knowledge.

10. Some universities have refused to provide our graduate students with their diplomas until their tuition fees have been paid, as a result of which it has proved impossible to evaluate the scientific qualifications of those students after their return to the country.

11. The unjust embargo has led to a suspension or infrequent exchange of postal communications with our embassies or legations abroad, thereby making it difficult to monitor and look after the academic interests of our students abroad and their functional relationships with their government departments in Iraq.

12. Many of the students who returned to the country were forced to leave their furniture and personal effects in the countries in which they were studying due to the impossibility of shipping them to their home country because most transport companies refused to help them to arrange such shipments.

13. The number of graduate students returning to the country and whose academic qualifications have been evaluated declined from an annual average of 784 students during the period from 1987 to 2 August 1990 to 312 students during the period from 2 August 1990 to 31 November 1993.

VIII. In general, the closure of the cultural offices at our embassies abroad due to the unjust embargo has severely impeded the task of monitoring our students studying abroad, looking after their welfare and consolidating cultural links between our universities and foreign universities falling within the territorial coverage of those embassies.